

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LESTER ROBERTS,
an individual,

Plaintiff,

Case No. 3:18-cv-01922-MO

v.

OPINION AND ORDER

STATE OF OREGON; and
SHERRY GREEN, RN,

Defendants.

MOSMAN, J.,

On October 1, 2019, Defendants filed a Motion for Partial Summary Judgment [ECF 21]. Plaintiff Lester Roberts had until October 22, 2019, to file a response to that motion, a deadline he failed to meet. On November 1, 2019, I ordered Mr. Roberts to show cause for why Defendants' motion should not be granted. Order [ECF 26]. I gave Mr. Roberts until November 22, 2019, to make this showing and notified him that failure to do so would result in the dismissal of his first and second claims with prejudice. *Id.* To date, Mr. Roberts has failed to respond to Defendants' motion or this court's order to show cause.

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Therefore, I GRANT Defendants' Motion for Partial Summary Judgment. Claim One (Americans with Disabilities Act, and Rehabilitation Act) and Claim Two (section 1983) of Mr. Roberts' First Amended Complaint [ECF 7] are DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 6th day of December, 2019.



MICHAEL W. MOSMAN
Chief United States District Judge